

PCT/PTC 12 MAY 2005

## PATENT COOPERATION TREATY

PCT

PCT Application  
PCT/CN2002/000811INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference IP02072		FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/CN02/00811	International filing date (day/month/year) 15.Nov.2002 (15.11.02)	Priority date (day/month/year)	
International Patent Classification (IPC) or national classification and IPC IPC <sup>7</sup> : C01B31/06 C01B31/04			
Applicant UNIVERSITY OF SCIENCE AND TECHNOLOGY OF CHINA ect.			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 15 NOV 2002 (15.11.02)		Date of completion of this report 31 JAN 2005 (01.01.05)	
Name and mailing address of the IPEA/		Authorized officer ZUOJIAXUN	
Facsimile No.		Telephone No. 86-10-62084829	

Form PCT/IPEA/409 (cover sheet) (January 2004)

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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.  
PCT/CN02/00811**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

## 1. Statement:

Novelty (N)	Claims 1-10	YES
	Claims	NO
Inventive step (IS)	Claims 1-10	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-10	YES
	Claims	NO

## 2. Citations and explanations (Rule 70.7)

The following documents cited in the international search reports have been taken into account in this report:

D1 US4404177A  
D2 JP1246116A  
D3 JP1148790A  
D4 DE3612340A

The subject matter of claims 1—10 are about a process for producing diamond, graphite, or a mixture of diamond and graphite. Because all of the above-mentioned documents did not teach or suggest the same or similar process, claims 1—10 are considered to be novel and inventive in comparison with the prior art. They meet the criteria set under the PCT Article 33(2) and 33(3). Because the processes of claims 1—10 can be achieved, they meet the criteria set under the PCT Article 33(4).